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EXAMINER
NGUYEN, TAM V

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 06/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>10 April 2000</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6)☐ Other: .

DETAILED ACTION

1.   Claims 1-26 are pending in this action. Claims 1-26 are presented for

examination. This Office Action is in response to the filing date 04/10/2000.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the
> United States before the invention thereof by the applicant for patent, or on an international application
> by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
> title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by

Boothby (US 6141664).

        With respect to claims 1 and 18, a method of synchronizing data records stored

in a first and second database, comprising the steps of: associating a pair of

synchronization parameters with each data record stored in the first and second

databases, the pair including a first synchronization parameter associated with the first

database, and a second synchronization parameter associated with the second

database, (col. 4, lines 49-col. 5, lines 14 and see fig. 1); updating a data record at the

first database; incrementing the first synchronization parameter associated with the

updated data record at the first database, (col. 5, lines 5-38); transmitting a first update

message from the first database to the second database, the first update message

including the incremented first synchronization parameter, the second synchronization

parameter, and the updated data record from the first database, (col. 5, lines 5-38);

receiving the first update message at the second database; and updating the data

record at the second database using the information from the first update message,

(col. 5, lines 5-38).

As to claim 2, the method of claim 1, further comprising the steps of: coupling the

first database to a host system, (col. 4, lines 49-col. 5, lines 14); and coupling the

second database to a portable data communication device, (col. 7, lines 52-59).

As to claim 3, the method of claim 1, further comprising the step of: providing a

wireless data network for transmitting update messages between the two databases,

(col. 7, lines 52-59).

As to claim 4, the method of 1, further comprising the step of: designating one of

the databases as the master database and the other database as a slave database,

(col. 4, lines 49-col. 5, lines 14).

As to claim 5, designating the second database as a master and the first

database as a slave database, (col. 4, lines 49-col. 5, lines 14); after receiving the first

update message at the second database, then determining whether a conflict has

occurred between the two database, (col. 4, lines 49-col. 5, lines 14); and if a conflict

has occurred, then ignoring the first update message received at the second database,

(col. 15, lines 22-29).

As to claim 6, the method of claim 5, wherein the determining step includes

comparing the second synchronization parameter stored at the second database with

the second synchronization parameter transmitted to the second database in the first

update message, (col. 4, lines 49-col. 5, lines 14).

As to claim 7, designating the second database as a master and the first

database as a slave, (col. 4, lines 49-col. 5, lines 14); updating the data record at the

second database, (col. 4, lines 49-col. 5, lines 14); incrementing the second

synchronization parameter associated with the updated data record at the second

database, (col. 5, lines 5-38); transmitting a second update message from the second

database to the first database, the second update message including the incremented

second synchronization parameter, the first synchronization parameter, and the updated

data record from the second database, (col. 5, lines 5-38); receiving the second update

message at the first database, (col. 5, lines 5-38); and detecting a conflict between the

first and second databases, and updating the data record at the first database using the

information from the second update message, (col. 15, lines 22-29).

As to claim 8, the method of claim 1, wherein the associating step further

includes the step of modifying the data records by appending the pair of synchronization

parameters to the data records and storing the modified data records in the respective

database, (col. 15, lines 22-29)

As claim to 9, the method of claim 1, wherein the updating step further includes

the steps of: storing the updated data record at the second database, (col. 15, lines 22-

29); and incrementing the first synchronization parameter associated with the data

record at the second database so that it is synchronized with the first synchronization

parameter associated with the data record at the first database, (col. 15, lines 22-29)).

As claim to 10. The method of claim 1, wherein the data records represent

calendar entries associated with an electronic calendar system, (col. 15, lines 22-29).

With respect to claim 11, a method of synchronizing data records stored in a host

system and a portable data communication device, comprising the steps of: associating

a first device synchronization parameter and a first host synchronization parameter with

the data records stored at the host system, (col. 4, lines 49-col. 5, lines 14); associating

a second device synchronization parameter and a second host synchronization

parameter with the data records stored at the device, (col. 4, lines 49-col. 5, lines 14); if

a data record is updated at the host system, then updating the first host synchronization

parameter, and transmitting a first update message to the device, (col. 5, lines 5-38);

and if a data record is updated at the device, then updating the second device

synchronization parameter, and transmitting a second update message to the host, (col.

5, lines 5-38).

As to claim 12, the method of claim 11, wherein the first update message

includes the updated first host synchronization parameter, the first device

synchronization parameter, and the updated data record stored at the host system, (col.

5, lines 5-38).

As to claim 13, the method of claim 11, wherein the second update message

includes the updated second device synchronization parameter, the second host

synchronization parameter, and the updated data record stored at the device, (col. 5,

lines 5-38).

As to claim 14, receiving the first update message at the device, (col. 5, lines 5-

38); and if there is no conflict detected at the device, then updating the data record at

the device using information from the first update message, (col. 15, lines 22-29).

As to claim 15, receiving the second update message at the host, (col. 5, lines 5-38); and if there is no conflict detected at the host, the updating the data record at the host using the information from the second update message, (col. 15, lines 22-29)

As to claim 16, the method of claim 11, further comprising the step of providing a wireless network for transmitting the update message between the host and the portable data communication device, (col. 5, lines 5-38).

4.   Claims 19-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Tran (US 6202060B1).

With respect to claim 19, a data record synchronization system, comprising: a host system coupled to a host database, wherein the host database stores data records that have been modified to include a first host synchronization parameter and a first device synchronization parameter, (col. 12, lines 8-24); a portable data communication device coupled to a device database, wherein the device database stores data records that have been modified to include a second host synchronization parameter and a second device synchronization parameter, (col. 12, lines 8-24); a network coupling the host system to the portable data communication device, (col. 12, lines 8-24); software operating at the host system for updating a data record and for generating a first update message that is transmitted to the device when a data record is updated at the host, the first update message including the first host synchronization parameter, the first device synchronization parameter, and the updated data record stored at the host system, (col.

12, lines 8-24); and software operating at the portable data communication device for updating a data record and for generating a second update message that is transmitted to the host when a data record is updated at the device, the second update message including the second host synchronization parameter, the second device synchronization parameter, and the updated data record stored at the device, (col. 12, lines 8-24).

As to claim 20, the system of claim 19, wherein the portable data communication device is a two-way pager, (col. 2, lines 12-49).

As to claim 21, the system of claim 19, wherein the portable data communication device is a cell phone, (col. 17, lines 44-63).

As to claim 22, the system of claim 19, wherein the portable data communication device is a PDA, (col. 17, lines 44-63).

As to claim 23, the system of claim 19, wherein the portable data communication device is a palmtop, (col. 17, lines 44-63).

As to claim 24, the system of claim 19, wherein the portable data communication device is a one and one half way pager, (col. 17, lines 44-63).

With respect to claim 25, a method of synchronizing data records stored in a

portable data communication device and at least two host systems, comprising the

steps of: associating a pair of synchronization parameters with each data record stored

in the host systems, the pair including a first synchronization parameter associated with

one of the host systems, and a second synchronization parameter associated with the

portable data communication device, (col. 12, lines 8-24); associating two pairs of

synchronization parameters with each data record stored in the portable data

communication device, each pair including a first synchronization parameter associated

with one of the host systems, and a second synchronization parameter associated with

the portable data communication device, (col. 12, lines 8-24); updating a data record at

one of the host systems; incrementing the first synchronization parameter associated

with the updated data record at the one host system, (col. 12, lines 8-24); transmitting a

first update message from the one host system to the portable data communication

device, the first update message including the incremented first synchronization

parameter, the second synchronization parameter, and the updated data record from

the one host system, (col. 12, lines 8-24); receiving the first update message at the

portable data communication device; and updating the data record at the portable data

communication device using the information from the first update message, (col. 12,

lines 8-24).

As to claim 26, the method of claim 25, further comprising the steps of:

incrementing the second synchronization parameter associated with the updated data

record at the portable data communication device for the second host system, (col. 17,

lines 44-63); transmitting a second update message from the portable data

communication device to the second host system, the second update message

including the incremented second synchronization parameter for the second host

system, the first synchronization parameter for the second host system, and the

updated data record from the portable data communication device, (col. 12, lines 8-24);

receiving the second update message at the second host system, (col. 12, lines 8-24);

and updating the data record at the second host system using the information from the

second to update message, (col. 12, lines 8-24).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claim 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran

(US 6202060B1) in view of (US Boothby US 6141664).

With respect to claim 17, Tran discloses designating the host system as the

master an the portable data communication devices as the slave, (col. 12, lines 7-24);

simultaneously updating a particular data record at both the host system and the

portable data communication device (col. 12, lines 7-24); transmitting a first update

message from the host system to the portable data communication device, the first

update message including a first host synchronization parameter, a first device

synchronization parameter, and the updated data record stored at the host system, (col. 12, lines 7-24); transmitting a second update message from the portable data communication device to the host system, the second update message including a second host synchronization parameter, a second device synchronization parameter, and the update data record stored at the device, (col. 12, lines 7-24).

Tran does not clearly teach receiving the second update message at the host system, detecting a conflict has occurred for the particular data record, an ignoring the second update message.

Boothby teaches the user may choose to ignore the conflict. Everytime time synchronization is repeated the conflict will be detected again and ignored again, as long as this option remains in effect and as long as the conflicting records are not changed by other means, (col. 15, lines 22-29). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tran by including receiving the second update message at the host system, detecting a conflict has occurred for the particular data record, an ignoring the second update message, as taught by Boothby, so that the user has an option of either to continue or discontinue updating process.

Boothby further discloses receiving the first update message of the host system, detecting a conflict has occurred for the particular data record, and updating the data record at the device using the information from the first update message, (col. 15, lines 22-29)

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Bodnar et al. (US 6295541B1) shows system and methods for synchronizing two

or more datasets.

Boothby (US 5943676) shows synchronization of recurring records in

incompatible databases.

Contact Information

8.   **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam V Nguyen whose telephone number is (703) 305-3735. The examiner can normally be reached on 7:30AM-5: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Yen Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for formal communications and (703) 746-7240 for informal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Virginia 22202. Fourth Floor (Receptionist).

9.   Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

TV:tv

06/14/02